

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE RULE 95-235

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

2. Form, Style and Placement in Administrative Code

a. This rule repeals s. HSS 90.10 (5) (h) and (i) and then creates them as s. HSS 90.10 (5) (g) and (h). Because only minor changes are being made to current s. HSS 90.10 (5) (h) and no changes are being made to current s. HSS 90.10 (5) (i), it may be better to renumber and amend s. HSS 90.10 (5) (h) and merely renumber s. HSS 90.10 (5) (i).

b. In s. HSS 90.13 (1) (a) 3., it appears that the phrase “pursuant to” is new material and should be underscored.

4. Adequacy of References to Related Statutes, Rules and Forms

In s. HSS 90.12 (3) (e), the reference to s. 49.981, Stats., appears to be a typographical error and should read s. 48.981, Stats.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. Section HSS 90.05 (4) (a) is amended to add language requiring the department to develop procedures to inform parents and other interested individuals and organizations about the right to file a complaint and how to file it. However, current s. HSS 90.12 (1) (b) 5. already establishes procedures for filing a complaint for parents. Therefore, the mandate for the department to do this again should be reexamined.

b. In ss. HSS 90.11 (3) (b) and 90.12 (2) (c), it appears that the word “of,” following the word “informed,” should be deleted.

c. In s. HSS 90.11 (4), the added sentence is awkwardly phrased. Can the phrase “with ch. HSS 1, with the family support payment formulas” be replaced by either the phrase “with ch. HSS 1 and the family support payment formulas” or the phrase “with the family support payment formulas under ch. HSS 1”?

d. Throughout the rule, references are made to social workers and marriage and family therapists “licensed” under ch. 457, Stats. However, professionals regulated under this chapter are certified, not licensed. These references should be corrected accordingly.